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Attorney for Plaintiff Spencer Forrest, Inc.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SPENCER FORREST, INC.,

Plaintiff,

v.

HAIR CUBED, LLC, a California  
limited liability company, DAVID  
DARDASHTY, RON EHUD, and  
DOES 1 through 10,

Defendants.

Case No. CV 10-03362 MMM  
(PJWx)

~~[PROPOSED]~~ ORDER FOR ENTRY  
OF PRELIMINARY INJUNCTION  
AGAINST DEFENDANTS HAIR  
CUBED, LLC, DAVID  
DARDASHTY AND RON EHUD

Plaintiff Spencer Forrest, Inc. (“Spencer Forrest”) and defendants Hair Cubed, LLC, David Dardashty and Ehud Ron (mistakenly sued herein as Ron Ehud) (collectively said defendants are referred to herein as the “Hair Cubed Defendants”) have stipulated to the entry of the issuance of a preliminary injunction. Based thereon and good cause shown therefor, IT IS HEREBY ORDERED:

1. That each of the Hair Cubed Defendants, and each of their officers, directors, agents, servants, employees, members, attorneys, and all persons acting in concert or participation with any of the foregoing, are hereby

1 restrained and enjoined from:

2 (a) Using any of the Spencer Forrest Marks or any variation thereof  
3 in metatags or in buried HTML code for the website “www.HairCubed.com” or  
4 any other website owned, operated or controlled, directly or indirectly, by any of  
5 the Hair Cubed Defendants;

6 (b) Purchasing keywords or Adwords containing any of the Spencer  
7 Forrest Marks or any variation thereof to advertise any Hair Cubed products or  
8 for any other purpose;

9 (c) Using any of the Spencer Forrest Marks or any variation thereof  
10 as a metatag or in buried HTML code in connection with any submission to  
11 YouTube or any other website that hosts videos of any products sold by any of  
12 the Hair Cube Defendants;

13 (d) Using any of the Spencer Forrest Marks or any variation thereof  
14 in the title or description of any video shown on YouTube or on any other website  
15 that hosts videos of any products sold by any of the Hair Cube Defendants, unless  
16 all of the following are true: (a) such video shows a fair comparison of the  
17 Toppik® product versus the Hair Cubed product; (b) such video does not contain  
18 any untrue or misleading statement; and (c) such video does not omit any material  
19 fact, the omission of which would be misleading;

20 (e) Representing that any Hair Cubed product is a “Toppik” product  
21 or otherwise representing in any way, directly or indirectly, that any Hair Cubed  
22 product originated or is associated with Spencer Forrest;


23 (f) Representing or allowing any comment or discussion to appear on  
24 the www.Haircubed.com website in which it is stated or implied that any of the  
25 Toppik® or Xfusion® products contain aluminum; and

26 (g) Effecting assignments or transfers, forming new entities or  
27 associations or utilizing any other device for the purpose of circumventing or  
28 otherwise avoiding the prohibitions set forth in subparagraphs (a) through (f).

1           2. Service by mail upon the counsel of record of a copy of this Order is  
2 deemed sufficient notice to each of the Hair Cubed Defendants under Rule 65(d)  
3 of the Federal Rules of Civil Procedure. It shall not be necessary for any of the  
4 Hair Cubed Defendants to sign any form of acknowledgment of service.

5           3. Spencer Forrest shall not be required to post a bond in connection with  
6 this Court's granting of a preliminary injunction.

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9 Date: December 2, 2010

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11 Hon. Margaret M. Morrow  
12 United States District Judge  
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